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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/942,047 | 08/28/2001 | Umair A. Khan | CLICP008 | 7341 |
| 28875 | 7590 | 05/24/2007 | EXAMINER | |
| Zilka-Kotab, PC P.O. BOX 721120 SAN JOSE, CA 95172-1120 | | | HARBECK, TIMOTHY M | |
| | | | ART UNIT | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/942,047 | KHAN ET AL. |
| | Examiner | Art Unit |
| | Timothy M. Harbeck | 3692 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 March 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 3-42 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 3-42 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All . b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 10/30/2006.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/02/2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adam et al (hereinafter Adam; US 2002/0069164) in view of Khan et al (hereinafter Khan US 2002/0016754 A1).

Re Claim 1: Adam discloses a method for carrying out a computer-implemented transaction comprising:

- Storing in memory a transaction pattern reflecting a transaction (Page 1 paragraph 0001-0003)
- Executing the transaction pattern to carry out the transaction (Page 1, paragraph 0002, last sentence)

Adam does not explicitly disclose the steps wherein the transaction pattern includes a record of information submitted by a user, user actions taken by a user, system actions taken by a system in response to the information and the user actions in order to generate results, and the results are sent to the user.

Khan discloses system, method an article of manufacture for conducting a transaction on any site on the world wide web on behalf of a user from any device. In the system of Khan a request from the user for purchase of products or services on a website is received. A purchase pattern of the website is retrieved such as from a database of stored purchase patterns that have been determined fro various websites. The products and/or services on the website are purchased on behalf of the user based on the purchase pattern (See Abstract). It would have been obvious to a person of ordinary skill in the art to include the teachings of Khan to the disclosure of Adam so that users would not have to reenter information each time they wish to purchase a product or recall previously executed transactions.

Re Claim 3: Adam in view of Khan discloses the claimed method supra and Khan further discloses wherein the transaction pattern includes a record of actions taken by the system which enable access of the user to data (0047)

Re Claim 4: Adam in view of Khan discloses the claimed method supra and Adam further discloses wherein the transaction pattern includes the storage of records relating to a user interface presented to a user (paragraph 0042, Fig 15; screen shot is a saved interface previously presented to a user).

Re Claim 5: Adam in view of Khan discloses the claimed method supra and Khan further discloses wherein the transaction pattern includes the storage of records relating to the submission of information by a user (paragraph 0047)

Re Claim 6: Adam in view of Khan discloses the claimed method supra and Khan further discloses wherein the transaction pattern includes the storage of parameters required to complete the transaction (paragraph 0047)

Re Claim 7: Adam in view of Khan discloses the claimed method supra and Khan further discloses wherein the storage of transaction pattern includes the storage of records of the navigation of a user during the transaction (0047-0049).

Re Claim 8: Adam in view of Khan discloses the claimed method supra and Adam further discloses wherein the transaction pattern includes the storage of information returned to a user by a system (paragraph 0003; pre-stored bill of materials is returned to the user by the system, where it can be further edited or simply re-submitted)

Re Claim 9: Adam in view of Khan discloses the claimed method supra and Adam further discloses wherein the transaction pattern includes the storage of information selected by the user (paragraph 0039; "the system brings the user back to the product selection page preconfigured according to the product that the user wants to edit.")

Re Claim 10: Adam in view of Khan discloses the claimed method supra and Khan further discloses wherein the execution of the transaction pattern includes

retrieval of the transaction pattern by at least one of an automated agent and a programmable agent (paragraph 0048).

Re Claim 11: Adam in view of Khan discloses the claimed method supra and Khan further discloses wherein the execution of the transaction pattern includes submission of required parameters during the transaction (paragraph 0049)

Re Claim 12: Adam in view of Khan discloses the claimed method supra and Khan further discloses wherein the execution of the transaction pattern involves automatic navigation during the transaction (paragraph 0049).

Re Claim 13: Adam in view of Khan discloses the claimed method supra and Adam further discloses wherein the execution of the transaction pattern includes retrieval of content (paragraph 0001-0003)

Re Claim 14: Adam in view of Khan discloses the claimed method supra and Adam further discloses wherein the execution of the transaction includes relaying content to a user (paragraph 0001-0003)

Re Claim 15: Adam in view of Khan discloses the claimed method supra but does not explicitly disclose wherein the execution of the transaction includes recognizing the state of a remote transaction. However it was well known in the art at the time of invention for computer related applications to come in a variety of different "states" or formats. It therefore would have been obvious to anyone of ordinary skill at the time of invention to allow the method of Adam to determine and recognize a variety of common application states so that the appropriate content can be pulled and organized from a variety of sources. If the method of Adam did not perform this step

than only some formats would be recognized and important data may not be forwarded on to the user.

Re Claims 16-21 and 23-30: Further computer program product claims would have been obvious in order to implement the previously rejected method claims 1-6 and 8-15 respectively and are therefore rejected using the same art and rationale.

Re Claim 31: Further system claim would have been obvious in order to perform the previously rejected method claim 1 above and is therefore rejected using the same art and rationale.

Re Claim 33: Adams discloses a method for carrying out a computer implemented transaction comprising:

- Recording information submitted by a user as part of a transaction (previously submitted bill of materials assumes information has been recorded 0003)
- Recording user actions taken by a user as part of the transaction (records original submission of bill of materials for later use; paragraph 0003)
- Recording the results that are sent to a user as part of the transaction (0042; bill of material is the results that are sent to the user)
- Generating a transaction pattern based on the recorded information (transaction pattern is used to regenerate the previously submitted bill of materials automatically as opposed to manually repeating all tasks; paragraph 0001);

- Storing the transaction pattern in memory (0003)

Adams does not explicitly disclose

- Recording system actions taken by the system in response to the information and the user actions in order to generate results as part of the transaction;
- Executing the transaction pattern to automatically carry out the transaction upon receiving a user request for the transaction

Khan discloses system, method an article of manufacture for conducting a transaction on any site on the world wide web on behalf of a user from any device. In the system of Khan a request from the user for purchase of products or services on a website is received. A purchase pattern of the website is retrieved such as from a database of stored purchase patterns that have been determined fro various websites. The products and/or services on the website are purchased on behalf of the user based on the purchase pattern (See Abstract). It would have been obvious to a person of ordinary skill in the art to include the teachings of Khan to the disclosure of Adam so that users would not have to reenter information each time they wish to purchase a product or recall previously executed transactions.

Re Claims 34-39: Previously rejected claims 3, 8-10, 12 and 14 have previously shown that Adams has anticipated these limitations. For the sake of brevity please refer to those respective claims for citation of the prior art.

Re Claim 41: Adams discloses a method for carrying out a computer-implemented electronic commerce (e-commerce) transaction comprising:

- Storing in memory a transaction pattern reflecting a transaction wherein the transaction pattern includes (paragraph 0001-0003)
 - Creation and actions associated with forms presented in a web-interface with which a user submits information (paragraph 0020 “web based;” also see Figs 4-16 for web based screen shots and paragraphs 0028-0043 for creation of bill of material forms)
 - Information submitted by a user, in forms presented in an ecommerce flow (paragraphs 0001 “ecommerce;” see paragraphs 0028-0043 for form creation; specifically paragraph 0039 “Bill of Material Page.”)
 - An internal process whereby the submitted information is sent to servers and databases of an ecommerce site (0026)
 - Navigation of the user within the e-commerce process (see paragraphs 0028-0043, navigate to create and edit bill of materials)

Adams does not explicitly disclose

- System actions taken by the system in response to the information and the user actions in order to generate results and the results returned by the e-commerce site once the submitted information has been processed;
- Executing the transaction pattern to automatically carry out the transaction upon receiving a user request for the transaction

Khan discloses system, method an article of manufacture for conducting a transaction on any site on the world wide web on behalf of a user from any device. In

the system of Khan a request from the user for purchase of products or services on a website is received. A purchase pattern of the website is retrieved such as from a database of stored purchase patterns that have been determined from various websites. The products and/or services on the website are purchased on behalf of the user based on the purchase pattern (See Abstract). It would have been obvious to a person of ordinary skill in the art to include the teachings of Khan to the disclosure of Adam so that users would not have to reenter information each time they wish to purchase a product or recall previously executed transactions.

- Executing the transaction pattern to carry out the transaction (0002 "fulfillment.")

Re Claim 42: Adams and Khan have been shown to explicitly or implicitly disclose each limitation of claim 42 in the previously rejected claims 1-15 and 33-41 and therefore claim 42 is rejected using the same rationale as those previous claims. For the sake of brevity the examiner notes the following.

- (a)-(d) and (g)-(h) of claim 42 are the same as respective parts (a) – (g) in claim 33 and therefore the same rationale applies
- for (e) and (f) see rejection of claim 34
- for the sub categories of (h)
 - for (i) see rejection of claim 4
 - for (ii) see rejection of claim 2
 - for (iii) see rejection of claim 6

- for (iv) see rejection of claim 7
- for (v) see rejection of claim 8
- for (vi) see rejection of claim 9
- for the sub categories of (i)
 - for (i) see rejection of claim 10
 - for (ii) see rejection of claim 15
 - for (iii) see rejection of claim 11
 - for (iv) see rejection of claim 12
 - for (v) see rejection of claim 13
 - for (vi) see rejection of claim 14

Response to Arguments

Applicant's arguments with respect to claims 1 and 3-42 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Harbeck whose telephone number is 571-272-8123. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3692

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



ANDREW J. FISCHER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600